

1 Rene L. Valladares  
2 Federal Public Defender  
3 Nevada State Bar No. 11479  
4 \*Laura Barrera  
5 Assistant Federal Public Defender  
6 Michigan State Bar No. P80957  
7 411 E. Bonneville Ave., Ste. 250  
8 Las Vegas, Nevada 89101  
9 (702) 388-6577  
10 Laura\_Barrera@fd.org

\*Attorney for Petitioner Paul Santiago

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 Paul Santiago,

14 Petitioner,

15 v.

16 State of Nevada,

17 Respondent.

Case No. 2:21-cv-00896-APG-NJK

**Unopposed motion for extension of  
time in which to file Reply to  
Answer**

**(Third request)**

18 Petitioner Paul Santiago respectfully moves this Court for an extension of time  
19 of 7 days, from July 8, 2024, to and including July 15, 2024, in which to file his Reply  
20 to the Answer.  
21  
22  
23  
24  
25  
26

POINTS AND AUTHORITIES

Santiago filed a *pro se* petition for writ of habeas corpus on or about May 4, 2021.<sup>1</sup> Counsel filed a first amended protective petition on August 18, 2021.<sup>2</sup> Counsel simultaneously sought leave to file a second amended petition, which the Court granted.<sup>3</sup> Santiago filed his second amended petition on July 13, 2022.<sup>4</sup> Respondents filed their motion to dismiss on January 27, 2023.<sup>5</sup> Santiago filed his opposition to the motion to dismiss on May 25, 2023.<sup>6</sup> This Court issued its order on the motion on September 25, 2023.<sup>7</sup> The Court then dismissed Ground One on October 23, 2023, and ordered Respondents to answer the remaining claims.<sup>8</sup> Respondents filed their answer on December 11, 2023.<sup>9</sup> Santiago now requests additional time to file his reply. This is the third request for an extension of time. The additional period of time is necessary in order to effectively represent Santiago. This motion is filed in the interests of justice and not for the purpose of unnecessary delay.

When this Court granted counsel's previous request to extend this deadline it cautioned that no further extensions would be granted absent extraordinary circumstances. This short, final extension is warranted due to extraordinary circumstances. Counsel has prioritized this pleading, in addition to a pleading in *Mullner v. Johnson, et. al.*, 2:20-cv-00535-JAD-BNM, also due today and in which the

---

<sup>1</sup> ECF No. 1-1 at 1.

<sup>2</sup> ECF No. 11.

<sup>3</sup> ECF No. 13.

<sup>4</sup> ECF No. 27.

<sup>5</sup> ECF No. 67.

<sup>6</sup> ECF No. 73.

<sup>7</sup> ECF No. 77.

<sup>8</sup> ECF No. 79.

<sup>9</sup> ECF No. 83.

1 court also cautioned that no more extensions would be given.<sup>10</sup> However, counsel has  
 2 been unable to complete this reply for several reasons. First and foremost, last week  
 3 a different client unexpectedly required a substantial investment of time due to an  
 4 emergency. As a result, counsel was forced to spend hours of time that were set aside  
 5 to work on this pleading on another case. Counsel was unable to complete the reply  
 6 outside regularly scheduled working hours, despite attempting to do so, due to a lack  
 7 of childcare during evenings, the Fourth of July holiday, and the weekend, as well as  
 8 undersigned counsel's health issues. Undersigned counsel has made significant  
 9 progress on the reply but requires one additional week to finish it. Counsel respects  
 10 this Court's prior order and does not anticipate needing any further extensions.

11 On July 8, 2024, counsel for Respondents, Deputy Attorney General Michael  
 12 Shaffer, indicated by email that Respondents do not oppose this request.

13 For the above stated reasons, Santiago respectfully requests this Court grant  
 14 a final extension of 7 days and order the reply to be filed on or before July 15, 2024.

15 Dated July 8, 2024.

16 Respectfully submitted,

17 Rene L. Valladares  
 18 Federal Public Defender

19 /s/ Laura Barrera

20 Laura Barrera  
 21 Assistant Federal Public Defender

22 IT IS SO ORDERED:

23 Dated: July 8, 2024

24   
 25 ANDREW P. GORDON  
 26 UNITED STATES DISTRICT JUDGE

<sup>10</sup> Since the last request for an extension on May 9, 2024, counsel has also filed an amended petition, an opening brief, a reply, and a request for a certificate of appealability, among other pleadings, in other cases, all of which had been extended more than once due to counsel's maternity leave. Counsel continues to make every effort to catch up as quickly as possible on an inordinate number of deadlines due to maternity leave.